

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.21834 of 2018

Y.Arthi

... Petitioner

Vs.

State rep. by

1.The Commissioner of Police,
Chennai Metro City, Vepery,
Chennai-600 007.

2.The Inspector of Police, (Crime)
P2, Otteri Police Station,
Otteri,
Chennai.

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the second respondent not to harass the petitioner on the petitioner representation dated 28.08.2018.

For Petitioner

: Mr.T.V.G.Kartheeban

For R1 & R2

: Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the second respondent not to harass the petitioner on the petitioner representation dated 28.08.2018.

2. Heard learned counsel appearing for the petitioner and learned Additional Public Prosecutor for the Respondents 1 and 2.

3. The learned Additional Public Prosecutor appearing for the respondents Police would submit that on the complaint given by one Amalanathan, petition enquiry is pending on the file of the second respondent police.

4. The petitioner is directed to co-operate with the police for enquiry and at the time of conducting of the enquiry, the

petitioner shall not be harassed by the police. The police cannot call the petitioner on a regular basis in the guise of enquiry without even registering an FIR and Supreme Court of India in Lalitha Kumari Vs. Government of Uttar Pradesh reported in 2013 (6) CTC 353 has enumerated the nature of cases where preliminary enquiry can be conducted and has also restricted the period, for which preliminary enquiry can be conducted. During the course of enquiry, if any cognizable offence is made out, second respondent is free to register an FIR and this order shall not be a shield for the petitioner against the respondent proceeding to take action in accordance with law.

5. With the above direction, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar(Audit)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner of Police,
Chennai Metro City, Vepery,
Chennai-600 007.

2.The Inspector of Police, (Crime)
P2, Otteri Police Station,
Otteri,
Chennai.

3.The Public Prosecutor,
Madras High Court, Madras.

सत्यमेव जयते

Cr1.O.P.No.21834 of 2018

GSP (23/11/2018)

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